

The minutes reflect the impressions of the writer, of the discussions and proposals and are not intended to imply or announce policy or directives. Refer to the specifications to determine MDT requirements.

June 11, 2008  
MCA-MDT Technical Committee Meeting Minutes

Wade Sellers opened the meeting with introductions. MCA pointed out the anti-trust policy included with the attendance sheet, and reminded members to read and abide by the policy.

**OLD BUSINESS ISSUES**

**1. Tack Coat.** A proposed specification revision will remove the requirement that it be diluted “*at the point of manufacture*”. This is a quality issue (water and mixing) and MDT will revisit this requirement later in the year. MDT will also consider change orders and will look at the bid prices and recovery of the added expense for hauling the diluted material.

**2. Fuel Price Adjustment.** MDT requires the calculations used to determine the actual fuel cost on each item, not just a percentage. Additional justification is required for any cost in excess of 20% of the bid item. MDT will reevaluate the requirement for submittal of items at the Notice to Proceed or Pre-Construction meeting whichever is earlier. MDT asked MCA to submit suggestions on language that would be workable. MDT is also looking at the requirement for holding the pre-construction meeting within 20 days of the Notice-to-Proceed for projects let late in the fall with construction to begin in the spring. MDT is concerned with receiving an initial schedule early.

**3. Flex Time - Contract Time.** MDT stated they cannot generate an estimate until after the Notice to Proceed (NTP). A request may be made to move up the NTP date to allow payment for stockpiled material or installation of traffic control sign posts (not signs) and then contract time may be suspended. Flex time will rarely be change ordered into a contract after award. There are issues with funding, safety, and fairness to the unsuccessful bidders. The Q&A is useful when time may be too restrictive.

**4. State Optioned Sources.** MDT stated they are still reviewing state optioned sources for materials on applicable projects. MDT is working with DEQ on permitting.

**5. Incentives – Disincentives (Volumetrics, Density and Ride).** MDT is concerned that contractors are sacrificing compaction for ride and volumetrics and requested comments regarding compaction difficulties. MDT is considering tying all three together. Incentives are for higher quality or an increased service life. It makes no sense to pay an incentive in two categories when a third (density) indicates that an increased service life will not result.

**6. Civil Rights / EEO.** The disparity study will be completed the end of June and will be followed by a comment period of about 30 days. MDT will then decide whether to stay with program DBE goals or return to project specific goals. MCA is concerned that DBE's may not be submitting the lowest bids. MDT pointed out that this is a federal requirement and that our program is almost entirely federally funded.

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**7. Proposed Specification revision to 618.03.13.** MCA was concerned with some of the language. MDT pointed out that this is only for the Portable Sign Support Assemblies (sign trailers). MDT will consider revising the language to allow various NCHRP 350 crash tested sign trailers.

## **MDT NEW BUSINESS**

### **1. Summary of Proposed Specification Revisions.**

#### **Current Specifications out for Comment**

- 105.03.3 Table of Contractor Submittals.
- 105.16.1 Notice on Claims.  
MCA stated the requirement for submission of the form the next business day is too restrictive and suggested a minimum of three days.
- 105.16.3 Decision on Claims.  
It was clarified that the 14 days was to select a mediator and schedule mediation, but the mediation session did not need to occur within 14 days.
- 301.03.1 Sampling, Testing, and Acceptance.
- 409.03.6 Application of Fog Seal.
- 409.03.8 Warranty.

**2. Pavement Marking Tape.** This is allowed under the current specifications but that may not be clear (a portion is under Subsection 714.04). MDT will revise the language so there is no question it may be used if MCA sees a need for it. MCA agreed there is a place for its use.

**3. MCS “A” Site – Port of Raymond.** This project had a short advertising period with bid opening June 18, 2008. It is required to be completed by September 1, 2008 due to funding.

**4. Modified Lottman Test.** MDT proposed eliminating the Modified Lottman test (MT 330, modified AASHTO T283) and asked if there was any value to MCA from this test. MCA said it was a design issue and asked that we check with firms preparing mix designs.

**5. Mass Diagrams.** MDT will stop including mass diagrams in the Plans later this year. They will be included with the dirt runs.

## **MCA NEW BUSINESS**

**1. August Technical Highway meeting.** The August meeting will be on Thursday the 14<sup>th</sup> due to the MCA summer outing. MCA asked that MDT advise if they will attend so the appropriate amount of time will be scheduled.

*The next meeting will be July 9, 2008, at 10:00 AM at the MCA office in Helena.*